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TECHNE NETWORK, INC.
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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
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17 TECHNE NETWORK, INC., a Nevada
18 corporation,

19 Plaintiff,

20 v.

21 PATRICK SEILSOPOUR, an individual;
22 NEUTON TECHNOLOGY, LLC; a Nevada
23 limited liability company; and DOES 1-10,
inclusive.

24 Defendants.
25
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27
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Case No. 8:15-cv-1801

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1
2 Techne Network, Inc. (“Techne” or “Plaintiff”), by and through its attorneys of
3 record, complains against Patrick Seilsopour (“Seilsopour”), Neuton Technology, LLC
4 (“Neuton”) and DOES 1-10 (collectively “Defendants”) as follows:

5 **JURISDICTION AND VENUE**

6 1. This is a civil action against Defendants for their acts of copyright
7 infringement in violation of the United States Copyright Act, 17 U.S.C. §§ 101 *et seq.* This
8 Court has subject matter jurisdiction over the copyright infringement under 28 U.S.C. §
9 1331, 17 U.S.C. § 501(a), and 28 U.S.C. § 1338(a).

10 2. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and (c) and 28
11 U.S.C. § 1400(a) in that the claim arises in this Judicial District, the Defendants may be
12 found and transact business in this Judicial District, and the injury suffered by Plaintiff took
13 place in this Judicial District. Defendants are subject to the general and specific personal
14 jurisdiction of this Court because of their contacts with the State of California.

15 **PARTIES**

16 3. Techne is a Nevada corporation, with its principal place of business in Orange
17 County, California. Techne is owned and operated by a well-known and highly respected
18 software engineer, developer and programmer named Thien Nguyen, whose résumé
19 includes director-level positions at high impact technology companies such as Experian
20 and LiveOffice.

21 4. Plaintiff is informed and believes and, upon such, alleges that Defendant
22 Seilsopour is an individual residing in Orange County, California.

23 5. Plaintiff is informed and believes and, upon such, alleges that Defendant
24 Neuton is a Nevada limited liability company.

25 6. DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore sues
26 said Defendants by such fictitious names. Plaintiff will ask leave of Court to amend this
27 Complaint and insert the true names and capacities of said Defendants when the same have
28 been ascertained. Plaintiff is informed and believes and, upon such, alleges that each of the

1 Defendants designated herein as a “DOE” is legally responsible in some manner for the
2 events and happenings herein alleged, and that Plaintiff’s damages as alleged herein were
3 proximately caused by such Defendants.

4 **STATEMENT OF FACTS**

5 7. This action involves the unauthorized reproduction and use by Defendants of
6 the Connector and Parking Lot software and underlying source code created, written,
7 developed, and owned by Techne (hereafter “Techne’s Copyrighted Content”).

8 8. The Techne Copyrighted Content was developed by Techne. The Techne
9 Copyrighted Content consists of “connector” software that assists in the standardization
10 and migration from NearPoint archives to non-proprietary PST. The Techne Copyrighted
11 Content also consists of “parking lot” software which acts a repository where companies’
12 clients can store, search, and manage their data.

13 9. Techne has registered for copyrights in the code, documentation,
14 specifications, libraries and other materials that make up the Techne Copyrighted Content.
15 The Techne Copyrighted Content have been timely registered with the United States
16 Copyright Office, including those attached at Exhibit A.

17 10. Without consent, authorization, approval, or license, Defendants, upon
18 information and belief, knowingly, willingly, and unlawfully copied, prepared, published,
19 and distributed Techne’s Copyrighted Content, portions thereof, or derivative works and
20 continue to do so.

21 **FIRST CLAIM FOR RELIEF**

22 **(Copyright Infringement, 17 U.S.C. § 501)**

23 **(against all Defendants)**

24 11. Plaintiff hereby restates and realleges the allegations in paragraphs 1 through
25 10 above.

26 12. Plaintiff is the rightsholder to the copyrights to Techne’s Copyrighted Content,
27 which substantially consist of wholly original material that constitutes copyrightable
28

1 subject matter under the laws of the United States. Plaintiff has complied in all respects
2 with the Copyright Act and all of the laws of the United States governing copyrights.

3 13. Defendants have directly, vicariously and/or contributorily infringed, and
4 unless enjoined, will continue to infringe Techne's copyrights by reproducing, displaying,
5 distributing and utilizing the Copyrighted Works for purposes of trade in violation of 17
6 U.S.C. § 501 *et seq.*

7 14. Defendants, on information and belief, have willfully infringed, and unless
8 enjoined, will continue to infringe Techne's Copyrighted Content by knowingly
9 reproducing, displaying, distributing and utilizing Techne's Copyrighted Content for
10 purposes of trade.

11 15. Defendants have received substantial benefits in connection with the
12 unauthorized reproduction, display, distribution and utilization of Techne's Copyrighted
13 Content for purposes of trade.

14 16. The actions of Defendants were and are continuing to be performed without
15 the permission, license or consent of Techne.

16 17. The wrongful acts of Defendants have caused, and are causing, great injury to
17 Plaintiff, of which damages cannot be accurately computed, and unless this Court restrains
18 Defendants from further commission of said acts, Techne will suffer irreparable injury, for
19 all of which it is without an adequate remedy at law. Accordingly, Plaintiff seeks a
20 declaration that Defendants are infringing Techne's copyrights and an order under 17
21 U.S.C. § 502 enjoining Defendants from any further infringement of Plaintiff's copyrights.

22 18. As a result of the acts of Defendants alleged herein, Techne has suffered and is
23 suffering substantial damage to its business in the form of diversion of trade, loss of profits,
24 injury to goodwill and reputation, and the dilution of the value of its rights, all of which are
25 not yet fully ascertainable.

26 19. Techne is entitled to actual damages in an amount to be proven at trial for the
27 infringement of all works at issue.
28

1 20. Plaintiff is also entitled to its attorney's fees in prosecuting this action under
2 17 U.S.C. § 505.

3
4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff requests judgment against Defendants as follows:

6 1. That the Defendants, their officers, agents, servants, employees,
7 representatives, and attorneys, and all persons in active concert or participation with them,
8 be permanently enjoined from continued acts of infringement of the copyrights at issue in
9 this litigation;

10 2. That an accounting be made for all profits, income, receipts or other
11 benefit derived by Defendants from the reproduction, copying, display, promotion,
12 distribution or sale of products and services, or other media, either now known or hereafter
13 devised, that improperly or unlawfully infringes upon Plaintiff's copyrights pursuant to 17
14 U.S.C. §§ 504 (a)(1) & (b);

15 3. The Defendants be required to account for and pay over to Plaintiff all
16 profits derived by Defendants from their acts of copyright infringement and to reimburse
17 Plaintiff for all damages suffered by Plaintiff by reasons of Defendant's acts, pursuant to 17
18 U.S.C. §§ 504 (a)(1) & (b);

19 4. For actual damages for copyright infringement pursuant to 17 U.S.C. §§
20 504 (a)(1) & (b);

21 5. That Defendants be held liable for costs, interest and reasonable
22 attorney's fees pursuant to 17 U.S.C. § 505; and

23 6. That Plaintiff be awarded any such other and further relief as the Court
24 may deem just and appropriate.

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28 ///

1 Dated: November 4, 2015

ONE LLP

2
3 By: /s/John E. Lord

4 John E. Lord

5 Peter R. Afrasiabi

6 Attorneys for Plaintiff,

7 TECHNE NETWORK, INC.

DEMAND FOR JURY TRIAL

Plaintiff Techne Network, Inc. hereby demands trial by jury of all issues so triable under the law.

Dated: November 4, 2015

ONE LLP

By: /s/John E. Lord

John E. Lord

Peter R. Afrasiabi

Attorneys for Plaintiff,

TECHNE NETWORK, INC.

EXHIBIT A

Registration #: *-APPLICATION-
Service Request #: 1-2735005671

Mail Certificate

One LLP
Joanna Ardalan
9301 Wilshire Boulevard
Beverly Hills, CA 90210 United States

Priority: Routine

Application Date: September 24, 2015

Correspondent

Organization Name: One LLP
Name: Joanna Ardalan
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Penthouse
Beverly Hills, CA 90210 United States

Registration Number

-APPLICATION-

Title _____

Title of Work: Connector and Parking Lot software

Completion/Publication _____

Year of Completion: 2014

Date of 1st Publication: March 20, 2014

Nation of 1st Publication: United States

Author _____

- **Author:** Techne Network Inc.
- Author Created:** computer program
- Work made for hire:** Yes
- Citizen of:** United States

Copyright Claimant _____

Copyright Claimant: Techne Network Inc.
1416 S Adria Street, Anaheim, CA, 92802, United States

Transfer statement: By written agreement

Rights and Permissions _____

Organization Name: Techne Network, Inc.

Address: 1416 S Adria Street
Anaheim, CA 92802 United States

Certification _____

Name: Joanna Ardalan (CA SBN 285384)

Date: September 24, 2015
